

**UNITED STATES DISTRICT COURT
DISTRICT OF PUERTO RICO**

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO, *et al.*,

Debtors.

PROMESA

Title III

No. 17 BK 3283-LTS

(Jointly Administered)

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

PUERTO RICO SALES TAX FINANCING
CORPORATION,

Debtor.

PROMESA

Title III

No. 17 BK 3284-LTS

**NOTICE OF AMENDED¹ AGENDA OF MATTERS SCHEDULED
FOR THE HEARING ON JANUARY 16-17, 2019 AT 9:30 A.M. AST²**

**Time and Date of
Hearing:**

Wednesday, January 16, 2019,

from 9:30 a.m. to 12:00 p.m.,

from 1:00 p.m. to 5:00 p.m.,

and, if necessary,

Thursday, January 17, 2019,

from 9:30 a.m. to 12:00 p.m.,

from 1:00 p.m. to 5:00 p.m.,

(Atlantic Standard Time)

Location of Hearing:

Honorable Laura Taylor Swain, United States District Court Judge
Courtroom 4

¹ New or revised information added since the previous agenda has been marked with an asterisk ("*"). A redline comparing this amended agenda to the original agenda filed at ECF No. 4782 is attached hereto as **Exhibit A**.

² Attendees should note that daylight savings time ended on November 4, 2018. As such, the hearing will take place at 9:30 a.m. Atlantic Standard Time, which is 8:30 a.m. Eastern Standard Time, on January 16-17, 2019.

United States District Court for the District of Puerto Rico
Clemente Ruiz Nazario United States Courthouse
150 Carlos Chardón Avenue
San Juan, P.R. 00918-1767

Video Teleconference: The hearing will be broadcast by **video teleconference in Courtroom 17C³** of the United States District Court for the Southern District of New York, **Daniel Patrick Moynihan Courthouse, 500 Pearl Street, New York, NY 10007**

Copies of Documents: Copies of all documents filed in these title III cases are available free of charge (a) by visiting <https://cases.primeclerk.com/puertorico> or by calling +1 (844) 822-9231, and (b) on the Court's website at <http://www.prd.uscourts.gov>, subject to the procedures and fees set forth therein.

I. 9019 SETTLEMENT APPROVAL MOTION

1. **Commonwealth's Motion Pursuant to Bankruptcy Rule 9019 for Order Approving Settlement Between Commonwealth of Puerto Rico and Puerto Rico Sales Tax Financing Corporation.** Commonwealth of Puerto Rico's Motion Pursuant to Bankruptcy Rule 9019 for Order Approving Settlement Between Commonwealth of Puerto Rico and Puerto Rico Sales Tax Financing Corporation [Case No. 17-3283, ECF No. 4067; Adv. Proc. No. 17-0257, ECF No. 546]

Description: The Commonwealth seeks entry of an order approving the terms of the global compromise and settlement between the Commonwealth and the Puerto Rico Sale Tax Financing Corporation resolving the Commonwealth-COFINA Dispute.

Objection Deadline: November 16, 2018 at 5:00 p.m. (Atlantic Standard Time).

Responses:

- A. Objection of Service Employees International Union and International Union, United Automobile Aerospace and Agricultural Implement Workers of America (UAW) to Commonwealth of Puerto Rico's Motion Pursuant to Bankruptcy Rule 9019 for

³ Attendees should check the notice board in the lobby of the New York courthouse on the morning of the hearing to confirm the courtroom location.

Order Approving Settlement Between Commonwealth of Puerto Rico and Puerto Rico Sales Tax Financing Corporation [**Case No. 17-3283, ECF No. 4233**]

- B. Motion to Join the Objection of Service Employees International Union and UAW to Commonwealth of Puerto Rico's Motion Pursuant to Rule 9019 for Order to Approve Settlement [**Case No. 17-3283, ECF No. 4239**]
- C. Notice of Objection to Adequacy of the Disclosure Statement and Purported Settlement, filed by Lawrence B. Dvoves [**Case No. 17-3283, ECF No. 4244**]
- D. Joinder of Federacion Central de Trabajadores, U.F.C.W., Local 481 ("FCT") to the Objection of SEIU and UAW to Commonwealth of Puerto Rico's Motion Pursuant to Bankruptcy Rules 9019 for Order Approving Settlement Between Commonwealth of Puerto Rico and Puerto Rico Sales Tax Financing Corporation [**Case No. 17-3283, ECF No. 4248**]
- E. Objection of PROSOL-UTIER to Commonwealth of Puerto Rico's Motion Pursuant to Bankruptcy Rule 9019 for Order Approving Settlement Between Commonwealth of Puerto Rico and Puerto Rico Sales Tax Financing Corporation [**Case No. 17-3283, ECF No. 4251**]
- F. Joinder of Federacion de Maestros de Puerto Rico to Docket Entry 4251: Objection of PROSOL-UTIER to Commonwealth of Puerto Rico's Motion Pursuant to Bankruptcy Rule 9019 for Order Approving Settlement Between Commonwealth of Puerto Rico and Puerto Rico Sales Tax Financing Corporation [**Case No. 17-3283, ECF No. 4258**]

Reply, Joinder & Statement Deadlines: December 7, 2018 at 5:00 p.m. (Atlantic Standard Time).

Replies, Joinders & Statements:

- A. Commonwealth of Puerto Rico's Omnibus Reply to Objections to Motion Pursuant to Bankruptcy Rule 9019 for Order Approving Settlement Between Commonwealth of Puerto Rico and Puerto Rico Sales Tax Financing Corporation [**Case No. 17-3283, ECF No. 4434**]
- B. Declaration of Natalie A. Jaresko in Support of Commonwealth of Puerto Rico's Motion Pursuant to Bankruptcy Rule 9019 for Order Approving Settlement Between Commonwealth of Puerto Rico and Puerto Rico Sales Tax Financing Corporation [**Case No. 17-3283, ECF No. 4758**]

Related Documents:

- A. Declaration of Jeffrey W. Levitan in Support of the Commonwealth of Puerto Rico's Motion Pursuant to Bankruptcy Rule 9019 for Order Approving Settlement Between Commonwealth of Puerto Rico and Puerto Rico Sales Tax Financing Corporation [**Case No. 17-3283, ECF No. 4068; Adv. Proc. No. 17-0257, ECF No. 547**]

- B. Order Denying Motion of the Official Committee of Retired Employees of the Commonwealth of Puerto Rico to Change the Objection Deadline for COFINA Settlement Motion [**Case No. 17-3283, ECF No. 4128**]
- C. The Official Committee of Retired Employees of The Commonwealth of Puerto Rico's Limited Objection to the Commonwealth of Puerto Rico's Motion Pursuant to Bankruptcy Rule 9019 for Order Approving Settlement Between Commonwealth of Puerto Rico and Puerto Rico Sales Tax Financing Corporation [**Case No. 17-3283, ECF No. 4266**]
- D. Stipulation and Agreed Order Related to Commonwealth of Puerto Rico's Motion Pursuant to Bankruptcy Rule 9019 for Order Approving Settlement Between Commonwealth of Puerto Rico and Puerto Rico Sales Tax Financing Corporation and Related Matters [**Case No. 17-3283, ECF No. 4202; Adv. Proc. No. 17-0257, ECF No. 571**]
- E. Stipulation and Protective Order [**Case No. 17-3283, ECF No. 4541**]
- F. Order Regarding Procedures for Members of the Public to Request to Speak at Rule 9019 Motion and COFINA Plan Confirmation Hearing [**Case No. 17-3283, ECF No. 4634**]
- G. Order Regarding Procedures for Attendance, Participation and Observation of January 16, 2019 Hearing Regarding (1) The 9019 Settlement Approval Motion, (2) COFINA Plan of Adjustment Confirmation Motion, and (3) Dispute Regarding Section 19.5 of Plan [**Case No. 17-3283, ECF No. 4647**]
- H. Notice of Withdrawal of Official Committee of Retired Employees of the Commonwealth of Puerto Rico's Limited Objection to the Commonwealth of Puerto Rico's Motion Pursuant to Bankruptcy Rule 9019 [**Case No. 17-3283, ECF No. 4704**]
- I. Notice of PROSOL-UTIER Regarding the Submission of Exhibits for Expert Testimony for the January 16-17, 2019 Hearing Regarding (1) The 9019 Settlement Approval Motion, (2) COFINA Plan of Adjustment Confirmation Motion, and (3) Dispute Regarding Section 19.5 of Plan [**Case No. 17-3283, ECF No. 4766**]
- J. Informative Motion of the Financial Oversight and Management Board for Puerto Rico Regarding Consolidated Exhibits for January 16, 2019 Hearing on (I) Motion Pursuant to Bankruptcy Rule 9019 for Order Approving Settlement Between the Commonwealth and COFINA and (II) Concerning Confirmation of the COFINA Plan of Adjustment [**Case No. 17-3283, ECF No. 4777**] (**Part I**)
- K. Informative Motion of the Financial Oversight and Management Board for Puerto Rico Regarding Consolidated Exhibits for January 16, 2019 Hearing on (I) Motion Pursuant to Bankruptcy Rule 9019 for Order Approving Settlement Between the Commonwealth and COFINA and (II) Concerning Confirmation of the COFINA Plan of Adjustment [**Case No. 17-3283, ECF No. 4781**] (**Part II**)

- L. *Motion Submitting Amended Expert Report from Dr. José I. Alameda-Lozada in Support of PROSOL-UTIER's Objection to Confirmation of Title III Plan of Adjustment of Puerto Rico Sales Tax Financing Corporation ("COFINA") [**Case No. 17-3283, ECF No. 4787**]
- M. *Informative Motion of the Financial Oversight and Management Board for Puerto Rico Submitting Interrogatories as Exhibits for January 16, 2019 Hearing on (I) Motion Pursuant to Bankruptcy Rule 9019 for Order Approving Settlement Between the Commonwealth and COFINA And (II) Confirmation of the COFINA Plan of Adjustment [**Case No. 17-3283, ECF No. 4792**]
- N. *Informative Motion of the Financial Oversight and Management Board for Puerto Rico Submitting Supplement to Consolidated Exhibits for January 16, 2019 Hearing on (I) Motion Pursuant to Bankruptcy Rule 9019 for Order Approving Settlement Between the Commonwealth and COFINA and (II) Concerning Confirmation of the COFINA Plan of Adjustment [**Case No. 17-3283, ECF No. 4803**]
- O. *Informative Motion of AAFAF in Support of (I) the Commonwealth's Motion to Approve the Rule 9019 Settlement of the Commonwealth-COFINA Dispute, and (II) Confirmation of the Third Amended COFINA Plan of Adjustment [**Case No. 17-3283, ECF No. 4808**]
- P. *Notice of Filing of Revised Proposed Order Approving Settlement Between Commonwealth of Puerto Rico and Puerto Rico Sales Tax Financing Corporation [**Case No. 17-3283, ECF No. 4816**]

Status: This matter is going forward.

Estimated Time Required: 205 minutes.

<u>Order of Presentation (9019 Settlement Motion)</u>	<u>Time Allocated</u>
1. Debtor's Opening Statement	15 minutes
2. Debtor's Direct Testimony, and Moving of Declarations and Exhibits Into Evidence	5 minutes
3. Objectors' Cross-Examination of Debtor's Witness	15 minutes
4. Debtor's Re-Direct of Debtor's Witness	15 minutes
5. Objectors' Direct Testimony, and Moving of Declarations and Exhibits Into Evidence (If Any Objector Witnesses Are Permitted)	5 minutes

6. Debtor's Cross-Examination of Objector's Witness (If Any Objector Witnesses Are Permitted)	15 minutes
7. Objector's Re-Direct of Objector's Witness (If Any Objector Witnesses Are Permitted)	15 minutes
8. Objectors' Statements a. PROSOL-UTIER b. SEIU-UAW c. Lawrence B. Dvores	30 minutes (10 minutes each)
9. Public Comments	60 minutes
10. Statements in Support	20 minutes
11. Debtor's Reply and Closing Statement	10 minutes

II. CONFIRMATION HEARING OF THIRD AMENDED TITLE III PLAN OF ADJUSTMENT OF PUERTO RICO SALES TAX FINANCING CORPORATION:

1. **Third Amended Title III Plan of Adjustment of Puerto Rico Sales Tax Financing Corporation.** Third Amended Title III Plan of Adjustment of Puerto Rico Sales Tax Financing Corporation [Case No. 17-3283, ECF No. 4652]

Objection Deadline: January 2, 2019 at 4:00 p.m. (Atlantic Standard Time).

Responses:

- A. Objection to the Confirmation of the Second Amended Plan of Adjustment of Puerto Rico Sales Tax Financing Corporation [Case No. 17-3284, ECF No. 415]
- B. Objections to the Plan of Adjustment and the Adequacy of the COFINA Disclosure Statement and the Relief Requested in the Disclosure Statement with Reservation of Rights [Case No. 17-3283, ECF No. 4215]
- C. Objections to the Title III Plan of Adjustment of the Debts of Puerto Rico Sales Tax Financing Corporation with Reservation of Rights [Case No. 17-3283, ECF No. 4481]
- D. Objection of Service Employees International Union and International Union, United Automobile, Aerospace and Agricultural Implement Workers of America (UAW) to COFINA Plan of Adjustment Rights [Case No. 17-3283, ECF No. 4556]
- E. Amended Objection of The GMS Group, LLC to Second Amended Title III Plan of Adjustment of Puerto Rico Sales Tax Financing Corporation and Request For Evidentiary Hearing [Case No. 17-3283, ECF No. 4564]

- F. Objection, of Individual COFINA Subordinate Bondholder Residing in the 50 States Who Purchased at the Original Offering Prices, to Confirmation of Puerto Rico Sales Tax Financing Corporation (“COFINA”) Plan, and Response and Opposition to COFINA’s Thirteenth Omnibus Objection to Individual Claim No. 10701 [**Case No. 17-3283, ECF No. 4585**]
- G. Joinder by the GMS Group, LLC to Objection, of Individual COFINA subordinate Bondholder Residing in the 50 States Who Purchased at the Original Offering Prices, to Confirmation of Puerto Rico Sales Tax Financing Corporation Plan, and Response and Opposition to COFINA’s Thirteenth Omnibus Objection to Individual Claim No. 10701 [**Case No. 17-3283, ECF No. 4587**]
- H. Objection of PROSOL-UTIER to Confirmation of the Second Amended Title III Plan of Adjustment of the Debts of Puerto Rico Sales Tax Financing Corporation (“COFINA”) [**Case No. 17-3283, ECF No. 4592**]
- I. Supplement to Objection, of Individual COFINA Subordinate Bondholder Residing in the 50 States Who Purchased at the Original Offering Prices, to Confirmation of Puerto Rico Sales Tax Financing Corporation (“COFINA”) Plan Scheduled for Hearing January 16, 2019, and Response and Opposition to COFINA’s Thirteenth Omnibus Objection to Individual Claim No. 10701 [**Case No. 17-3283, ECF No. 4595**]
- J. First Amended Objection of Mark Elliott, Individually and d/b/a Elliott Asset Management, to Entry of an Order Approving the Second Amended Title III Plan of Adjustment of Puerto Rico Sales Tax Financing Corporation [**Case No. 17-3283, ECF No. 4598**]
- K. Joinder by and Supplement of the GMS Group, LLC to Supplemental Objection, of Individual COFINA subordinate Bondholder Residing in the 50 States Who Purchased at the Original Offering Prices, to Confirmation of Puerto Rico Sales Tax Financing Corporation Plan, and Response and Opposition to COFINA’s Thirteenth Omnibus Objection to Individual Claim No. 10701 [**Case No. 17-3283, ECF No. 4605**]
- L. Objection to Confirmation of the Second Amended Title III Plan of Adjustment of the Debts of Puerto Rico Sales Tax Financing Corporation and Joinder of Objection by PROSOL-UTIER [**Case No. 17-3283, ECF No. 4607**]
- M. Objection of Lawrence B. Dvoves, Individual Investor and Owner of Uninsured Junior Lien COFINA Bonds to the Confirmation of the Proposed [sic] Plan of Adjustment for Puerto Rico Sales Tax Financing Corporation Bonds and in Support of and for Joinder with Objections Filed by the GMS Group and Peter C. Hein, Pro Se [**Case No. 17-3283, ECF No. 4613**]
- N. Second Supplement to Objection, of Individual COFINA Subordinate Bondholder Residing in the 50 States Who Purchased at the Original Offering Prices, to

Confirmation of Puerto Rico Sales Tax Financing Corporation (“COFINA”) Plan Scheduled for Hearing January 16, 2019, and Response and Opposition to COFINA’s Thirteenth Omnibus Objection to Individual Claim No. 10701 [**Case No. 17-3283, ECF No. 4673**]

- O. Motion Submitting Translation of Cases Cited in Support of Objection of The GMS Group, LLC To Title III Plan of Adjustment of Puerto Rico Sales Tax Financing Corporation [**Case No. 17-3283, ECF No. 4732**]

Reply, Joinder & Statement Deadlines: January 9, 2019 at 4:00 p.m. (Atlantic Standard Time).

Replies, Joinders & Statements:

- A. Statement of COFINA Agent in Support of Second Amended Title III Plan of Adjustment of Puerto Rico Sales Tax Financing Corporation [**Case No. 17-3283, ECF No. 4656**]
- B. Omnibus Reply of Puerto Rico Sales Tax Financing Corporation to Objection to Second Amended Title III Plan of Adjustment [**Case No. 17-3283, ECF No. 4663**]
- C. Memorandum of Law in Support of Puerto Rico Sales Tax Financing Corporation’s Third Amended Title III Plan of Adjustment [**Case No. 17-3283, ECF No. 4664**]
- D. Omnibus Reply Of The COFINA Senior Bondholders’ Coalition to Objections to Confirmation of the Second Amended Title III Plan of Adjustment of Puerto Rico Sales Tax Financing Corporation [**Case No. 17-3283, ECF No. 4665**]
- E. Joinder by The Puerto Rico Funds to Omnibus Reply of The COFINA Senior Bondholders’ Coalition to Objections to Confirmation of The Second Amended Title III Plan of Adjustment of Puerto Rico Sales And Tax Financing Corporation [**Case No. 17-3283, ECF No. 4670**]
- F. Declaration of Natalie A. Jaresko in Support of Confirmation of Third Amended Title III Plan of Adjustment of Puerto Rico Sales Tax Financing Corporation [**Case No. 17-3283, ECF No. 4756**]
- G. Declaration of David M. Brownstein in Support of Confirmation of Third Amended Title III Plan of Adjustment of Puerto Rico Sales Tax Financing Corporation [**Case No. 17-3283, ECF No. 4757**]
- H. Puerto Rico Sales Tax Financing Corporation’s Evidentiary Objections to Declaration of José I. Alameda-Lozada Filed in Support of PROSOL-UTIER’s Objections to Second Amended Title III Plan of Adjustment [**Case No. 17-3283, ECF No. 4761**]
- I. Motion Submitting Certified Translation of Exhibit to COFINA Senior Bondholders’ Coalition’s Omnibus Reply to Objections to Confirmation of Second Amended Title

III Plan of Adjustment of Puerto Sales Tax Financing Corporation [Case No. 17-3283, ECF No. 4762]

- J. Notice of The COFINA Senior Bondholders' Coalition Regarding the Submission of Documents for Cross Examination at the January 16-17, 2019 Hearing Regarding (1) The 9019 Settlement Approval Motion, (2) COFINA Plan of Adjustment Confirmation Motion, and (3) Dispute Regarding Section 19.5 Of Plan [Case No. 17-3283, ECF No. 4763]
- K. Notice of Filing Certified Translation of Exhibit to Omnibus Reply of Puerto Rico Sales Tax Financing Corporation to Objections to Second Amended Title III Plan of Adjustment [Case No. 17-3283, ECF No. 4773]

Related Documents:

- A. Disclosure Statement for the Second Amended Title III Plan of Adjustment of the Debts of Puerto Rico Sales Tax Financing Corporation [Case No. 17-3283, ECF No. 4364]
- B. Order (I) Approving Disclosure Statement, (II) Fixing Voting Record Date, (III) Approving Confirmation Hearing Notice, (IV) Approving Solicitation Packages and Distribution Procedures, (V) Approving Forms of Ballots and Election Notices, and Voting and Election Procedures, (VI) Approving Notice of Non-Voting Status, (VII) Fixing Voting and Election Deadlines, and (VIII) Approving Vote Tabulation Procedures [Case No. 17-3283, ECF No. 4382]
- C. Second Amended Title III Plan of Adjustment of Puerto Rico Sales Tax Financing Corporation [Case No. 17-3283, ECF No. 4392]
- D. Order Granting Urgent Motion for Entry of Order Extending Election of Distribution Deadline in Connection with the COFINA Plan of Adjustment [Case No. 17-3283, ECF No. 4583]
- E. Plan Supplement and Plan Related Documents of Puerto Rico Sales Tax Financing Corporation [Case No. 17-3283, ECF No. 4588]
- F. Objection of Mark Elliott, Individually and d/b/a Elliott Asset Management, to Entry of an Order Approving the Second Amended Title III Plan of Adjustment of Puerto Rico Sales Tax Financing Corporation [Case No. 17-3283, ECF No. 4597]
- G. Motion Submitting Declaration of Timothy Donahue and Peter Hein in Support of Objection of the GMS Group, LLC to Title III Plan of Adjustment of Puerto Rico Sales Tax Financing Corporation [Case No. 17-3283, ECF No. 4606]
- H. Motion Submitting Updated Declaration of Timothy Donahue in Support of Objection of The GMS Group, LLC To Title III Plan of Adjustment of Puerto Rico Sales Tax Financing Corporation [Case No. 17-3283, ECF No. 4641]

- I. Motion Submitting Translation of Exhibit Attached to the Declaration of Timothy Donahue in Support of Objection of The GMS Group, LLC to Title III Plan of Adjustment of Puerto Rico Sales Tax Financing Corporation [**Case No. 17-3283, ECF No. 4642**]
- J. Order Regarding Procedures for Members of the Public to Request to Speak at Rule 9019 Motion and COFINA Plan Confirmation Hearing [**Case No. 17-3283, ECF No. 4634**]
- K. Order Regarding Procedures for Attendance, Participation and Observation of January 16, 2019 Hearing Regarding (1) The 9019 Settlement Approval Motion, (2) COFINA Plan of Adjustment Confirmation Motion, and (3) Dispute Regarding Section 19.5 of Plan [**Case No. 17-3283, ECF No. 4647**]
- L. Appendix of Consolidated Exhibits Referenced in The (I) Declaration of David M. Brownstein in Support of COFINA's Plan of Adjustment, (II) Declaration Of Natalie A. Jaresko in Support of COFINA's Plan of Adjustment, and (III) Declaration of Natalie A. Jaresko in Support of Approval of The Commonwealth's 9019 Settlement Motion [**Case No. 17-3283, ECF No. 4759**]
- M. Notice of Submission of Documents Relating to Appendix of Consolidated Exhibits Referenced in The (I) Declaration of David M. Brownstein in Support of COFINA's Plan of Adjustment, (II) Declaration of Natalie A. Jaresko in Support of COFINA's Plan of Adjustment, and (III) Declaration of Natalie A. Jaresko in Support of Approval of The Commonwealth's 9019 Settlement Motion [**Case No. 17-3283, ECF No. 4760**]
- N. Informative Motion of The GMS Group, LLC Submitting Rebuttal Evidence for The January 16-17, 2017 Hearing [**Case No. 17-3283, ECF No. 4769**]
- O. Notice of Filing of Proposed (I) Findings of Fact and Conclusions of Law Regarding Confirmation of The Third Amended Title III Plan of Adjustment of Puerto Rico Sales Tax Financing Corporation, and (II) Order and Judgment Confirming The Third Amended Title III Plan [**Case No. 17-3283, ECF No. 4770**]
- P. Notice of Filing of Proposed (I) Findings of Fact and Conclusions of Law Regarding Confirmation of the Third Amended Title III Plan of Adjustment of Puerto Rico Sales Tax Financing Corporation, and (II) Order and Judgment Confirmation the Third Amended Title III Plan [**Case No. 17-3284, ECF No. 493**]
- Q. *Motion in Limine or to Strike Mrs. Natalie Jaresko and Mr. David M. Brownstein Declarations (Docket Entries No. 4756 and 4757 in Case No. 17-03283) [**Case No. 17-3283, ECF No. 4790**]
- R. *Informative Motion of the GMS Group, LLC Submitting Rebuttal Evidence for the January 16-17, 2017 Hearing [**Case No. 17-3283, ECF No. 4793**]

- S. *Declaration of Christina Pullo of Prime Clerk LLC Regarding the Solicitation of Votes and Tabulation of Ballots Cast on the Second Amended Title III Plan of Adjustment of Puerto Rico Sales Tax Financing Corporation [Case No. 17-3283, ECF No. 4794]
- T. *Joinder of Motion in Limine by PROSOL-UTIER [Case No. 17-3283, ECF No. 4796]
- U. *Informative Motions of Financial Oversight and Management Board Regarding Correspondence Received by the Court [Case No. 17-3283, ECF Nos. 4635, 4801]
- V. *Joinder by the GMS Group, LLC to PROSOL-UTIER Motion in Limine or to Strike Mrs. Natalie Jaresko and Mr. David M. Brownstein Declarations (Docket Entries No. 4756 and 4757 in Case No. 17-03283) [Case No. 17-3283, ECF No. 4805]
- W. *Notices of Correspondence [Case No. 17-3283, ECF Nos. 3859, 4033, 4348, 4438, 4460, 4494, 4567, 4576, 4650, 4809]
- X. *Amended Plan Supplement and Plan Related Documents of Puerto Rico Sales Tax Financing Corporation [Case No. 17-3283, ECF No. 4813]
- Y. *Notice of Filing of Revised Proposed (I) Findings of Fact and Conclusions of Law Regarding Confirmation of the Third Amended Title III Plan of Adjustment of Puerto Rico Sales Tax Financing Corporation, and (II) Order and Judgment Confirming the Third Amended Title III Plan [Case No. 17-3283, ECF No. 4817]
- Z. *Puerto Rico Sales Tax Financing Corporation's Opposition to PROSOL-UTIER's Motion *In Limine* or to Strike the Declarations of Natalie A. Jaresko and David M. Brownstein in Support of the Third Amended Title III Plan of Adjustment, and Responses to PROSOL-UTIER's Evidentiary Objections to the Declarations [Case No. 17-3283, ECF No. 4819]

Status: This matter is going forward.

Estimated Time Required: 375 minutes.

<u>Order of Presentation (Confirmation Hearing)</u>	<u>Time Allocated</u>
1. Debtor's Opening Statement	10 minutes
2. Debtor's Direct Testimony, and Moving of Declarations and Exhibits Into Evidence	5 minutes
3. Objectors' Cross-Examination of Debtor's Witnesses	30 minutes
4. Debtor's Re-Direct of Debtor's Witnesses	30 minutes

5. Objectors' Direct Testimony, and Moving of Declarations and Exhibits Into Evidence (If Any Objector Witnesses Are Permitted)	5 minutes
6. Debtor's Cross-Examination of Objectors' Witnesses (If Any Objector Witnesses Are Permitted)	90 minutes
7. Objectors' Re-Direct of Objectors' Witnesses (If Any Objector Witnesses Are Permitted)	60 minutes
8. Party in Support's Direct Testimony, and Moving of Declarations and Exhibits Into Evidence	5 minutes
9. Objectors' Cross-Examination of Party in Support's Witness	5 minutes
10. Party in Support's Re-Direct of Party in Support's Witness	5 minutes
11. Objectors' Statements	30 minutes
12. Public Comment	60 minutes
13. Statements in Support	30 minutes
14. Debtor's Reply and Closing Statement	10 minutes

III. DISPUTE REGARDING SECTION 19.5 OF PLAN

1. **Hearing on Dispute Regarding Section 19.5 of Plan.** Order Granting Urgent Consensual Motion for Entry of Order Establishing Procedures Regarding Section 19.5 of the COFINA Plan of Adjustment [Case No. 17-3283, ECF No. 4518]

Description: Hearing to consider whether any amounts should be withheld from distributions to Whitebox and Ambac or posted by Whitebox and Ambac in accordance with Section 19.5 of the COFINA Plan and applicable documents and law.

Deadline to File Brief/Declarations Supporting Withholding: January 2, 2019 at 4:00 p.m. (Atlantic Standard Time).

Responses:

- A. Reservation of Rights of The Bank of New York Mellon, as Trustee, Regarding Section 19.5 of the Second Amended Title II Plan of Adjustment of Puerto Rico Sales Tax Financing Corporation [Case No. 17-3283, ECF No. 4599]
- B. Notice of Filing of Declaration of Daniel P. Goldberg [Case No. 17-3283, ECF No. 4600]

- C. Notice of Filing of Declaration of Robert M. Fishman [**Case No. 17-3283, ECF No. 4601**]
- D. Memorandum of Law of Ambac Assurance Corporation and Whitebox Multi-Strategy Partners, L.P. and Certain of its Affiliates Pursuant to Section 19.5 of COFINA's Amended Title III Plan of Adjustment [**Case No. 17-3283, ECF No. 4602**]
- E. Amended Memorandum of Law of Ambac Assurance Corporation Pursuant to Section 19.5 of COFINA's Amended Title III Plan Of Adjustment [**Case No. 17-3283, ECF No. 4633**]
- F. Amended Memorandum of Law of Whitebox Multi-Strategy Partners, L.P. and Certain of its Affiliates Pursuant to Section 19.5 of COFINA's Amended Title III Plan of Adjustment [**Case No. 17-3283, ECF No. 4646**]

Deadlines to File Brief/Declarations Against Withholding: January 9, 2019 at 4:00 p.m. (Atlantic Standard Time).

Replies, Joinders & Statements:

- A. Response of Whitebox Multi-Strategy Partners, L.P. and Certain of its Affiliates to Reservation of Rights of The Bank of New York Mellon, as Trustee, Regarding Section 19.5 of The Second Amended Title III Plan of Adjustment of Puerto Rico Sales Tax Financing Corporation [**Case No. 17-3283, ECF No. 4653**]
- B. Memorandum of Ambac Assurance Corporation in Response to Declarations of The Bank of New York Mellon Pursuant to Section 19.5 of COFINA's Amended Title III Plan of Adjustment [**Case No. 17-3283, ECF No. 4654**]
- C. Memorandum of Law of The Bank of New York Mellon, as Trustee, Regarding Compliance With Section 19.5 of the Plan [**Case No. 17-3283, ECF No. 4657**]
- D. Reply Memorandum of Law of The Bank of New York Mellon, As Trustee, Regarding Compliance With Section 19.5 of The Plan [**Case No. 17-3283, ECF No. 4751**]
- E. Reply of Whitebox Multi-Strategy Partners, L.P. and Certain of its Affiliates to Memorandum of Law of The Bank of New York Mellon, As Trustee, Regarding Section 19.5 of The Plan [**Case No. 17-3283, ECF No. 4752**]
- F. Reply Memorandum of Ambac Assurance Corporation Pursuant to Section 19.5 of COFINA's Amended Title III Plan of Adjustment [**Case No. 17-3283, ECF No. 4755**]
- G. Motion Submitting Exhibits and Evidentiary Material in Compliance with Order Regarding Procedures for Attendance, Participation and Observation of January 16, 2019 Hearing Regarding (1) The 9019 Settlement Approval Motion, (2) COFINA

Plan of Adjustment Confirmation Motion, and (3) Dispute Regarding Section 19.5 of Plan [Case No. 17-3283, ECF No. 4767]

Status: This matter is going forward.

Estimated Time Required: 170 minutes.

<u>Order of Presentation (Section 19.5 Dispute)</u>	<u>Time Allocated</u>
1. Opening Statements a. Bank of New York Mellon b. Ambac Assurance Corporation c. Whitebox Multi-Strategy Partners, L.P.	45 minutes (15 minutes each)
2. Bank of New York Mellon's Direct Testimony, and Moving of Declarations and Exhibits Into Evidence	5 minutes
3. Cross-Examination of Bank of New York Mellon's Witnesses a. Ambac Assurance Corporation b. Whitebox Multi-Strategy Partners, L.P.	60 minutes (30 minutes each)
4. Bank of New York Mellon's Re-Direct of Bank of New York Mellon's Witnesses	30 minutes
5. Statements From Other Parties	10 minutes
6. Debtor's Statement	5 minutes
7. Replies and Closing Statements a. Ambac Assurance Corporation b. Whitebox Multi-Strategy Partners, L.P. c. Bank of New York Mellon	15 minutes (5 minutes each)

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Dated: January 15, 2019
San Juan, Puerto Rico

Respectfully submitted,

/s/ Martin J. Bienenstock

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Exhibit A

Agenda Redline

UNITED STATES DISTRICT COURT
DISTRICT OF PUERTO RICO

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO, *et al.*,

Debtors.

PROMESA

Title III

No. 17 BK 3283-LTS

(Jointly Administered)

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

PUERTO RICO SALES TAX FINANCING
CORPORATION,

Debtor.

PROMESA

Title III

No. 17 BK 3284-LTS

NOTICE OF AMENDED¹
AGENDA OF MATTERS SCHEDULED
FOR THE HEARING ON JANUARY 16-17, 2019 AT 9:30 A.M. AST^{1,2}

**Time and Date of
Hearing:**

Wednesday, January 16, 2019,

from 9:30 a.m. to 12:00 p.m.,

from 1:00 p.m. to 5:00 p.m.,

and, if necessary,

Thursday, January 17, 2019,

from 9:30 a.m. to 12:00 p.m.,

from 1:00 p.m. to 5:00 p.m.,

(Atlantic Standard Time)

Location of Hearing:

Honorable Laura Taylor Swain, United States District Court Judge

Courtroom 4

United States District Court for the District of Puerto Rico

Clemente Ruiz Nazario United States Courthouse

¹ New or revised information added since the previous agenda has been marked with an asterisk ("*"). A redline comparing this amended agenda to the original agenda filed at ECF No. 4782 is attached hereto as **Exhibit A**.

^{1,2} Attendees should note that daylight savings time ended on November 4, 2018. As such, the hearing will take place at 9:30 a.m. Atlantic Standard Time, which is 8:30 a.m. Eastern Standard Time, on January 16-17, 2019.

150 Carlos Chardón Avenue
San Juan, P.R. 00918-1767

Video Teleconference: The hearing will be broadcast by **video teleconference in Courtroom 17C²³** of the United States District Court for the Southern District of New York, **Daniel Patrick Moynihan Courthouse, 500 Pearl Street, New York, NY 10007**

Copies of Documents: Copies of all documents filed in these title III cases are available free of charge (a) by visiting <https://cases.primeclerk.com/puertorico> or by calling +1 (844) 822-9231, and (b) on the Court's website at <http://www.prd.uscourts.gov>, subject to the procedures and fees set forth therein.

I. 9019 SETTLEMENT APPROVAL MOTION

1. **Commonwealth's Motion Pursuant to Bankruptcy Rule 9019 for Order Approving Settlement Between Commonwealth of Puerto Rico and Puerto Rico Sales Tax Financing Corporation.** Commonwealth of Puerto Rico's Motion Pursuant to Bankruptcy Rule 9019 for Order Approving Settlement Between Commonwealth of Puerto Rico and Puerto Rico Sales Tax Financing Corporation [Case No. 17-3283, ECF No. 4067; Adv. Proc. No. 17-0257, ECF No. 546]

Description: The Commonwealth seeks entry of an order approving the terms of the global compromise and settlement between the Commonwealth and the Puerto Rico Sale Tax Financing Corporation resolving the Commonwealth-COFINA Dispute.

Objection Deadline: November 16, 2018 at 5:00 p.m. (Atlantic Standard Time).

Responses:

- A. Objection of Service Employees International Union and International Union, United Automobile Aerospace and Agricultural Implement Workers of America (UAW) to Commonwealth of Puerto Rico's Motion Pursuant to Bankruptcy Rule 9019 for Order Approving Settlement Between Commonwealth of Puerto Rico and Puerto Rico Sales Tax Financing Corporation [Case No. 17-3283, ECF No. 4233]
- B. Motion to Join the Objection of Service Employees International Union and UAW to Commonwealth of Puerto Rico's Motion Pursuant to Rule 9019 for Order to Approve Settlement [Case No. 17-3283, ECF No. 4239]
- C. Notice of Objection to Adequacy of the Disclosure Statement and Purported Settlement, filed by Lawrence B. Dvoves [Case No. 17-3283, ECF No. 4244]
- D. Joinder of Federacion Central de Trabajadores, U.F.C.W., Local 481 ("FCT") to the Objection of SEIU and UAW to Commonwealth of Puerto Rico's Motion Pursuant to Bankruptcy Rules 9019 for Order Approving Settlement Between

²³ Attendees should check the notice board in the lobby of the New York courthouse on the morning of the hearing to confirm the courtroom location.

Commonwealth of Puerto Rico and Puerto Rico Sales Tax Financing Corporation
[**Case No. 17-3283, ECF No. 4248**]

- E. Objection of PROSOL-UTIER to Commonwealth of Puerto Rico's Motion Pursuant to Bankruptcy Rule 9019 for Order Approving Settlement Between Commonwealth of Puerto Rico and Puerto Rico Sales Tax Financing Corporation [**Case No. 17-3283, ECF No. 4251**]
- F. Joinder of Federacion de Maestros de Puerto Rico to Docket Entry 4251: Objection of PROSOL-UTIER to Commonwealth of Puerto Rico's Motion Pursuant to Bankruptcy Rule 9019 for Order Approving Settlement Between Commonwealth of Puerto Rico and Puerto Rico Sales Tax Financing Corporation [**Case No. 17-3283, ECF No. 4258**]

Reply, Joinder & Statement Deadlines: December 7, 2018 at 5:00 p.m. (Atlantic Standard Time).

Replies, Joinders & Statements:

- A. Commonwealth of Puerto Rico's Omnibus Reply to Objections to Motion Pursuant to Bankruptcy Rule 9019 for Order Approving Settlement Between Commonwealth of Puerto Rico and Puerto Rico Sales Tax Financing Corporation [**Case No. 17-3283, ECF No. 4434**]
- B. Declaration of Natalie A. Jaresko in Support of Commonwealth of Puerto Rico's Motion Pursuant to Bankruptcy Rule 9019 for Order Approving Settlement Between Commonwealth of Puerto Rico and Puerto Rico Sales Tax Financing Corporation [**Case No. 17-3283, ECF No. 4758**]

Related Documents:

- A. Declaration of Jeffrey W. Levitan in Support of the Commonwealth of Puerto Rico's Motion Pursuant to Bankruptcy Rule 9019 for Order Approving Settlement Between Commonwealth of Puerto Rico and Puerto Rico Sales Tax Financing Corporation [**Case No. 17-3283, ECF No. 4068; Adv. Proc. No. 17-0257, ECF No. 547**]
- B. Order Denying Motion of the Official Committee of Retired Employees of the Commonwealth of Puerto Rico to Change the Objection Deadline for COFINA Settlement Motion [**Case No. 17-3283, ECF No. 4128**]
- C. The Official Committee of Retired Employees of The Commonwealth of Puerto Rico's Limited Objection to the Commonwealth of Puerto Rico's Motion Pursuant to Bankruptcy Rule 9019 for Order Approving Settlement Between Commonwealth of Puerto Rico and Puerto Rico Sales Tax Financing Corporation [**Case No. 17-3283, ECF No. 4266**]
- D. Stipulation and Agreed Order Related to Commonwealth of Puerto Rico's Motion Pursuant to Bankruptcy Rule 9019 for Order Approving Settlement Between

Commonwealth of Puerto Rico and Puerto Rico Sales Tax Financing Corporation and Related Matters [Case No. 17-3283, ECF No. 4202; Adv. Proc. No. 17-0257, ECF No. 571]

- E. Stipulation and Protective Order [Case No. 17-3283, ECF No. 4541]
- F. Order Regarding Procedures for Members of the Public to Request to Speak at Rule 9019 Motion and COFINA Plan Confirmation Hearing [Case No. 17-3283, ECF No. 4634]
- G. Order Regarding Procedures for Attendance, Participation and Observation of January 16, 2019 Hearing Regarding (1) The 9019 Settlement Approval Motion, (2) COFINA Plan of Adjustment Confirmation Motion, and (3) Dispute Regarding Section 19.5 of Plan [Case No. 17-3283, ECF No. 4647]
- H. Notice of Withdrawal of Official Committee of Retired Employees of the Commonwealth of Puerto Rico's Limited Objection to the Commonwealth of Puerto Rico's Motion Pursuant to Bankruptcy Rule 9019 [Case No. 17-3283, ECF No. 4704]
- I. Notice of PROSOL-UTIER Regarding the Submission of Exhibits for Expert Testimony for the January 16-17, 2019 Hearing Regarding (1) The 9019 Settlement Approval Motion, (2) COFINA Plan of Adjustment Confirmation Motion, and (3) Dispute Regarding Section 19.5 of Plan [Case No. 17-3283, ECF No. 4766]
- J. Informative Motion of the Financial Oversight and Management Board for Puerto Rico Regarding Consolidated Exhibits for January 16, 2019 Hearing on (I) Motion Pursuant to Bankruptcy Rule 9019 for Order Approving Settlement Between the Commonwealth and COFINA and (II) Concerning Confirmation of the COFINA Plan of Adjustment [Case No. 17-3283, ECF No. 4777] (Part I)
- K. Informative Motion of the Financial Oversight and Management Board for Puerto Rico Regarding Consolidated Exhibits for January 16, 2019 Hearing on (I) Motion Pursuant to Bankruptcy Rule 9019 for Order Approving Settlement Between the Commonwealth and COFINA and (II) Concerning Confirmation of the COFINA Plan of Adjustment [Case No. 17-3283, ECF No. 4781] (Part II)
- L. [*Motion Submitting Amended Expert Report from Dr. José I. Alameda-Lozada in Support of PROSOL-UTIER's Objection to Confirmation of Title III Plan of Adjustment of Puerto Rico Sales Tax Financing Corporation \("COFINA"\) \[Case No. 17-3283, ECF No. 4787\]](#)
- M. [*Informative Motion of the Financial Oversight and Management Board for Puerto Rico Submitting Interrogatories as Exhibits for January 16, 2019 Hearing on \(I\) Motion Pursuant to Bankruptcy Rule 9019 for Order Approving Settlement Between the Commonwealth and COFINA And \(II\) Confirmation of the COFINA Plan of Adjustment \[Case No. 17-3283, ECF No. 4792\]](#)

N. *Informative Motion of the Financial Oversight and Management Board for Puerto Rico Submitting Supplement to Consolidated Exhibits for January 16, 2019 Hearing on (I) Motion Pursuant to Bankruptcy Rule 9019 for Order Approving Settlement Between the Commonwealth and COFINA and (II) Concerning Confirmation of the COFINA Plan of Adjustment [Case No. 17-3283, ECF No. 4803]

O. *Informative Motion of AAFAF in Support of (I) the Commonwealth's Motion to Approve the Rule 9019 Settlement of the Commonwealth-COFINA Dispute, and (II) Confirmation of the Third Amended COFINA Plan of Adjustment [Case No. 17-3283, ECF No. 4808]

P. *Notice of Filing of Revised Proposed Order Approving Settlement Between Commonwealth of Puerto Rico and Puerto Rico Sales Tax Financing Corporation [Case No. 17-3283, ECF No. 4816]

Status: This matter is going forward.

Estimated Time Required: 205 minutes.

Order of Presentation (9019 Settlement Motion)	Time Allocated
1. Debtor's Opening Statement	15 minutes
2. Debtor's Direct Testimony, and Moving of Declarations and Exhibits Into Evidence	5 minutes
3. Objectors' Cross-Examination of Debtor's Witness	15 minutes
4. Debtor's Re-Direct of Debtor's Witness	15 minutes
5. Objectors' Direct Testimony, and Moving of Declarations and Exhibits Into Evidence (If Any Objector Witnesses Are Permitted)	5 minutes
6. Debtor's Cross-Examination of Objector's Witness (If Any Objector Witnesses Are Permitted)	15 minutes
7. Objector's Re-Direct of Objector's Witness (If Any Objector Witnesses Are Permitted)	15 minutes
8. Objectors' Statements <ul style="list-style-type: none"> a. PROSOL-UTIER b. SEIU-UAW c. Lawrence B. Dvoves 	30 minutes (10 minutes each)
9. Public Comments	60 minutes
10. Statements in Support	20 minutes

11. Debtor's Reply and Closing Statement	10 minutes
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II. CONFIRMATION HEARING OF THIRD AMENDED TITLE III PLAN OF ADJUSTMENT OF PUERTO RICO SALES TAX FINANCING CORPORATION:

1. **Third Amended Title III Plan of Adjustment of Puerto Rico Sales Tax Financing Corporation.** Third Amended Title III Plan of Adjustment of Puerto Rico Sales Tax Financing Corporation [Case No. 17-3283, ECF No. 4652]

Objection Deadline: January 2, 2019 at 4:00 p.m. (Atlantic Standard Time).

Responses:

- A. Objection to the Confirmation of the Second Amended Plan of Adjustment of Puerto Rico Sales Tax Financing Corporation [Case No. 17-3284, ECF No. 415]
- B. Objections to the Plan of Adjustment and the Adequacy of the COFINA Disclosure Statement and the Relief Requested in the Disclosure Statement with Reservation of Rights [Case No. 17-3283, ECF No. 4215]
- C. Objections to the Title III Plan of Adjustment of the Debts of Puerto Rico Sales Tax Financing Corporation with Reservation of Rights [Case No. 17-3283, ECF No. 4481]
- D. Objection of Service Employees International Union and International Union, United Automobile, Aerospace and Agricultural Implement Workers of America (UAW) to COFINA Plan of Adjustment Rights [Case No. 17-3283, ECF No. 4556]
- E. Amended Objection of The GMS Group, LLC to Second Amended Title III Plan of Adjustment of Puerto Rico Sales Tax Financing Corporation and Request For Evidentiary Hearing [Case No. 17-3283, ECF No. 4564]
- F. Objection, of Individual COFINA Subordinate Bondholder Residing in the 50 States Who Purchased at the Original Offering Prices, to Confirmation of Puerto Rico Sales Tax Financing Corporation ("COFINA") Plan, and Response and Opposition to COFINA's Thirteenth Omnibus Objection to Individual Claim No. 10701 [Case No. 17-3283, ECF No. 4585]
- G. Joinder by the GMS Group, LLC to Objection, of Individual COFINA subordinate Bondholder Residing in the 50 States Who Purchased at the Original Offering Prices, to Confirmation of Puerto Rico Sales Tax Financing Corporation Plan, and Response and Opposition to COFINA's Thirteenth Omnibus Objection to Individual Claim No. 10701 [Case No. 17-3283, ECF No. 4587]
- H. Objection of PROSOL-UTIER to Confirmation of the Second Amended Title III Plan of Adjustment of the Debts of Puerto Rico Sales Tax Financing Corporation ("COFINA") [Case No. 17-3283, ECF No. 4592]

- I. Supplement to Objection, of Individual COFINA Subordinate Bondholder Residing in the 50 States Who Purchased at the Original Offering Prices, to Confirmation of Puerto Rico Sales Tax Financing Corporation (“COFINA”) Plan Scheduled for Hearing January 16, 2019, and Response and Opposition to COFINA’s Thirteenth Omnibus Objection to Individual Claim No. 10701 [**Case No. 17-3283, ECF No. 4595**]
- J. First Amended Objection of Mark Elliott, Individually and d/b/a Elliott Asset Management, to Entry of an Order Approving the Second Amended Title III Plan of Adjustment of Puerto Rico Sales Tax Financing Corporation [**Case No. 17-3283, ECF No. 4598**]
- K. Joinder by and Supplement of the GMS Group, LLC to Supplemental Objection, of Individual COFINA subordinate Bondholder Residing in the 50 States Who Purchased at the Original Offering Prices, to Confirmation of Puerto Rico Sales Tax Financing Corporation Plan, and Response and Opposition to COFINA’s Thirteenth Omnibus Objection to Individual Claim No. 10701 [**Case No. 17-3283, ECF No. 4605**]
- L. Objection to Confirmation of the Second Amended Title III Plan of Adjustment of the Debts of Puerto Rico Sales Tax Financing Corporation and Joinder of Objection by PROSOL-UTIER [**Case No. 17-3283, ECF No. 4607**]
- M. Objection of Lawrence B. Dvoves, Individual Investor and Owner of Uninsured Junior Lien COFINA Bonds to the Confirmation of the Proposed [sic] Plan of Adjustment for Puerto Rico Sales Tax Financing Corporation Bonds and in Support of and for Joinder with Objections Filed by the GMS Group and Peter C. Hein, Pro Se [**Case No. 17-3283, ECF No. 4613**]
- N. Second Supplement to Objection, of Individual COFINA Subordinate Bondholder Residing in the 50 States Who Purchased at the Original Offering Prices, to Confirmation of Puerto Rico Sales Tax Financing Corporation (“COFINA”) Plan Scheduled for Hearing January 16, 2019, and Response and Opposition to COFINA’s Thirteenth Omnibus Objection to Individual Claim No. 10701 [**Case No. 17-3283, ECF No. 4673**]
- O. Motion Submitting Translation of Cases Cited in Support of Objection of The GMS Group, LLC To Title III Plan of Adjustment of Puerto Rico Sales Tax Financing Corporation [**Case No. 17-3283, ECF No. 4732**]

Reply, Joinder & Statement Deadlines: January 9, 2019 at 4:00 p.m. (Atlantic Standard Time).

Replies, Joinders & Statements:

- A. Statement of COFINA Agent in Support of Second Amended Title III Plan of Adjustment of Puerto Rico Sales Tax Financing Corporation [**Case No. 17-3283, ECF No. 4656**]

- B. Omnibus Reply of Puerto Rico Sales Tax Financing Corporation to Objection to Second Amended Title III Plan of Adjustment [**Case No. 17-3283, ECF No. 4663**]
- C. Memorandum of Law in Support of Puerto Rico Sales Tax Financing Corporation's Third Amended Title III Plan of Adjustment [**Case No. 17-3283, ECF No. 4664**]
- D. Omnibus Reply Of The COFINA Senior Bondholders' Coalition to Objections to Confirmation of the Second Amended Title III Plan of Adjustment of Puerto Rico Sales Tax Financing Corporation [**Case No. 17-3283, ECF No. 4665**]
- E. Joinder by The Puerto Rico Funds to Omnibus Reply of The COFINA Senior Bondholders' Coalition to Objections to Confirmation of The Second Amended Title III Plan of Adjustment of Puerto Rico Sales And Tax Financing Corporation [**Case No. 17-3283, ECF No. 4670**]
- F. Declaration of Natalie A. Jaresko in Support of Confirmation of Third Amended Title III Plan of Adjustment of Puerto Rico Sales Tax Financing Corporation [**Case No. 17-3283, ECF No. 4756**]
- G. Declaration of David M. Brownstein in Support of Confirmation of Third Amended Title III Plan of Adjustment of Puerto Rico Sales Tax Financing Corporation [**Case No. 17-3283, ECF No. 4757**]
- H. Puerto Rico Sales Tax Financing Corporation's Evidentiary Objections to Declaration of José I. Alameda Lozada Filed in Support of ~~Prosol-Utier~~PROSOL-UTIER's Objections to Second Amended Title III Plan of Adjustment [**Case No. 17-3283, ECF No. 4761**]
- I. Motion Submitting Certified Translation of Exhibit to COFINA Senior Bondholders' Coalition's Omnibus Reply to Objections to Confirmation of Second Amended Title III Plan of Adjustment of Puerto Sales Tax Financing Corporation [**Case No. 17-3283, ECF No. 4762**]
- J. Notice of The COFINA Senior Bondholders' Coalition Regarding the Submission of Documents for Cross Examination at the January 16-17, 2019 Hearing Regarding (1) The 9019 Settlement Approval Motion, (2) COFINA Plan of Adjustment Confirmation Motion, and (3) Dispute Regarding Section 19.5 Of Plan [**Case No. 17-3283, ECF No. 4763**]
- K. Notice of Filing Certified Translation of Exhibit to Omnibus Reply of Puerto Rico Sales Tax Financing Corporation to Objections to Second Amended Title III Plan of Adjustment [**Case No. 17-3283, ECF No. 4773**]

Related Documents:

- A. Disclosure Statement for the Second Amended Title III Plan of Adjustment of the Debts of Puerto Rico Sales Tax Financing Corporation [**Case No. 17-3283, ECF No. 4364**]

- B. Order (I) Approving Disclosure Statement, (II) Fixing Voting Record Date, (III) Approving Confirmation Hearing Notice, (IV) Approving Solicitation Packages and Distribution Procedures, (V) Approving Forms of Ballots and Election Notices, and Voting and Election Procedures, (VI) Approving Notice of Non-Voting Status, (VII) Fixing Voting and Election Deadlines, and (VIII) Approving Vote Tabulation Procedures [**Case No. 17-3283, ECF No. 4382**]
- C. Second Amended Title III Plan of Adjustment of Puerto Rico Sales Tax Financing Corporation [**Case No. 17-3283, ECF No. 4392**]
- D. Order Granting Urgent Motion for Entry of Order Extending Election of Distribution Deadline in Connection with the COFINA Plan of Adjustment [**Case No. 17-3283, ECF No. 4583**]
- E. Plan Supplement and Plan Related Documents of Puerto Rico Sales Tax Financing Corporation [**Case No. 17-3283, ECF No. 4588**]
- F. Objection of Mark Elliott, Individually and d/b/a Elliott Asset Management, to Entry of an Order Approving the Second Amended Title III Plan of Adjustment of Puerto Rico Sales Tax Financing Corporation [**Case No. 17-3283, ECF No. 4597**]
- G. Motion Submitting Declaration of Timothy Donahue and Peter Hein in Support of Objection of the GMS Group, LLC to Title III Plan of Adjustment of Puerto Rico Sales Tax Financing Corporation [**Case No. 17-3283, ECF No. 4606**]
- H. Motion Submitting Updated Declaration of Timothy Donahue in Support of Objection of The GMS Group, LLC To Title III Plan of Adjustment of Puerto Rico Sales Tax Financing Corporation [**Case No. 17-3283, ECF No. 4641**]
- I. Motion Submitting Translation of Exhibit Attached to the Declaration of Timothy Donahue in Support of Objection of The GMS Group, LLC to Title III Plan of Adjustment of Puerto Rico Sales Tax Financing Corporation [**Case No. 17-3283, ECF No. 4642**]
- J. Order Regarding Procedures for Members of the Public to Request to Speak at Rule 9019 Motion and COFINA Plan Confirmation Hearing [**Case No. 17-3283, ECF No. 4634**]
- K. Order Regarding Procedures for Attendance, Participation and Observation of January 16, 2019 Hearing Regarding (1) The 9019 Settlement Approval Motion, (2) COFINA Plan of Adjustment Confirmation Motion, and (3) Dispute Regarding Section 19.5 of Plan [**Case No. 17-3283, ECF No. 4647**]
- L. Appendix of Consolidated Exhibits Referenced in The (I) Declaration of David M. Brownstein in Support of COFINA's Plan of Adjustment, (II) Declaration Of Natalie A. Jaresko in Support of COFINA's Plan of Adjustment, and (III)

Declaration of Natalie A. Jaresko in Support of Approval of The Commonwealth's 9019 Settlement Motion [**Case No. 17-3283, ECF No. 4759**]

- M. Notice of Submission of Documents Relating to Appendix of Consolidated Exhibits Referenced in The (I) Declaration of David M. Brownstein in Support of COFINA's Plan of Adjustment, (II) Declaration of Natalie A. Jaresko in Support of COFINA's Plan of Adjustment, and (III) Declaration of Natalie A. Jaresko in Support of Approval of The Commonwealth's 9019 Settlement Motion [**Case No. 17-3283, ECF No. 4760**]
- N. Informative Motion of The GMS Group, LLC Submitting Rebuttal Evidence for The January 16-17, 2017 Hearing [**Case No. 17-3283, ECF No. 4769**]
- O. Notice of Filing of Proposed (I) Findings of Fact and Conclusions of Law Regarding Confirmation of The Third Amended Title III Plan of Adjustment of Puerto Rico Sales Tax Financing Corporation, and (II) Order and Judgment Confirming The Third Amended Title III Plan [**Case No. 17-3283, ECF No. 4770**]
- P. Notice of Filing of Proposed (I) Findings of Fact and Conclusions of Law Regarding Confirmation of the Third Amended Title III Plan of Adjustment of Puerto Rico Sales Tax Financing Corporation, and (II) Order and Judgment Confirmation the Third Amended Title III Plan [**Case No. 17-3284, ECF No. 493**]
- Q. [*Motion in Limine or to Strike Mrs. Natalie Jaresko and Mr. David M. Brownstein Declarations \(Docket Entries No. 4756 and 4757 in Case No. 17-03283\) \[Case No. 17-3283, ECF No. 4790\]](#)
- R. [*Informative Motion of the GMS Group, LLC Submitting Rebuttal Evidence for the January 16-17, 2017 Hearing \[Case No. 17-3283, ECF No. 4793\]](#)
- S. [*Declaration of Christina Pullo of Prime Clerk LLC Regarding the Solicitation of Votes and Tabulation of Ballots Cast on the Second Amended Title III Plan of Adjustment of Puerto Rico Sales Tax Financing Corporation \[Case No. 17-3283, ECF No. 4794\]](#)
- T. [*Joinder of Motion in Limine by PROSOL-UTIER \[Case No. 17-3283, ECF No. 4796\]](#)
- U. [*Informative Motions of Financial Oversight and Management Board Regarding Correspondence Received by the Court \[Case No. 17-3283, ECF Nos. 4635, 4801\]](#)
- V. [*Joinder by the GMS Group, LLC to PROSOL-UTIER Motion in Limine or to Strike Mrs. Natalie Jaresko and Mr. David M. Brownstein Declarations \(Docket Entries No. 4756 and 4757 in Case No. 17-03283\) \[Case No. 17-3283, ECF No. 4805\]](#)
- W. [*Notices of Correspondence \[Case No. 17-3283, ECF Nos. 3859, 4033, 4348, 4438, 4460, 4494, 4567, 4576, 4650, 4809\]](#)

X. [*Amended Plan Supplement and Plan Related Documents of Puerto Rico Sales Tax Financing Corporation \[Case No. 17-3283, ECF No. 4813\]](#)

Y. [*Notice of Filing of Revised Proposed \(I\) Findings of Fact and Conclusions of Law Regarding Confirmation of the Third Amended Title III Plan of Adjustment of Puerto Rico Sales Tax Financing Corporation, and \(II\) Order and Judgment Confirming the Third Amended Title III Plan \[Case No. 17-3283, ECF No. 4817\]](#)

Z. [*Puerto Rico Sales Tax Financing Corporation's Opposition to PROSOL-UTIER's Motion *In Limine* or to Strike the Declarations of Natalie A. Jaresko and David M. Brownstein in Support of the Third Amended Title III Plan of Adjustment, and Responses to PROSOL-UTIER's Evidentiary Objections to the Declarations \[Case No. 17-3283, ECF No. 4819\]](#)

Status: This matter is going forward.

Estimated Time Required: 375 minutes.

<u>Order of Presentation (Confirmation Hearing)</u>	<u>Time Allocated</u>
1. Debtor's Opening Statement	10 minutes
2. Debtor's Direct Testimony, and Moving of Declarations and Exhibits Into Evidence	5 minutes
3. Objectors' Cross-Examination of Debtor's Witnesses	30 minutes
4. Debtor's Re-Direct of Debtor's Witnesses	30 minutes
5. Objectors' Direct Testimony, and Moving of Declarations and Exhibits Into Evidence (If Any Objector Witnesses Are Permitted)	5 minutes
6. Debtor's Cross-Examination of Objectors' Witnesses (If Any Objector Witnesses Are Permitted)	90 minutes
7. Objectors' Re-Direct of Objectors' Witnesses (If Any Objector Witnesses Are Permitted)	60 minutes
8. Party in Support's Direct Testimony, and Moving of Declarations and Exhibits Into Evidence	5 minutes
9. Objectors' Cross-Examination of Party in Support's Witness	5 minutes
10. Party in Support's Re-Direct of Party in Support's Witness	5 minutes
11. Objectors' Statements	30 minutes
12. Public Comment	60 minutes

13. Statements in Support	30 minutes
14. Debtor's Reply and Closing Statement	10 minutes

III. DISPUTE REGARDING SECTION 19.5 OF PLAN

1. **Hearing on Dispute Regarding Section 19.5 of Plan.** Order Granting Urgent Consensual Motion for Entry of Order Establishing Procedures Regarding Section 19.5 of the COFINA Plan of Adjustment [**Case No. 17-3283, ECF No. 4518**]

Description: Hearing to consider whether any amounts should be withheld from distributions to Whitebox and Ambac or posted by Whitebox and Ambac in accordance with Section 19.5 of the COFINA Plan and applicable documents and law.

Deadline to File Brief/Declarations Supporting Withholding: January 2, 2019 at 4:00 p.m. (Atlantic Standard Time).

Responses:

- A. Reservation of Rights of The Bank of New York Mellon, as Trustee, Regarding Section 19.5 of the Second Amended Title II Plan of Adjustment of Puerto Rico Sales Tax Financing Corporation [**Case No. 17-3283, ECF No. 4599**]
- B. Notice of Filing of Declaration of Daniel P. Goldberg [**Case No. 17-3283, ECF No. 4600**]
- C. Notice of Filing of Declaration of Robert M. Fishman [**Case No. 17-3283, ECF No. 4601**]
- D. Memorandum of Law of Ambac Assurance Corporation and Whitebox Multi-Strategy Partners, L.P. and Certain of its Affiliates Pursuant to Section 19.5 of COFINA's Amended Title III Plan of Adjustment [**Case No. 17-3283, ECF No. 4602**]
- E. Amended Memorandum of Law of Ambac Assurance Corporation Pursuant to Section 19.5 of COFINA's Amended Title III Plan Of Adjustment [**Case No. 17-3283, ECF No. 4633**]
- F. Amended Memorandum of Law of Whitebox Multi-Strategy Partners, L.P. and Certain of its Affiliates Pursuant to Section 19.5 of COFINA's Amended Title III Plan of Adjustment [**Case No. 17-3283, ECF No. 4646**]

Deadlines to File Brief/Declarations Against Withholding: January 9, 2019 at 4:00 p.m. (Atlantic Standard Time).

Replies, Joinders & Statements:

- A. Response of Whitebox Multi-Strategy Partners, L.P. and Certain of its Affiliates to Reservation of Rights of The Bank of New York Mellon, as Trustee, Regarding Section 19.5 of The Second Amended Title III Plan of Adjustment of Puerto Rico Sales Tax Financing Corporation [**Case No. 17-3283, ECF No. 4653**]
- B. Memorandum of Ambac Assurance Corporation in Response to Declarations of The Bank of New York Mellon Pursuant to Section 19.5 of COFINA's Amended Title III Plan of Adjustment [**Case No. 17-3283, ECF No. 4654**]
- C. Memorandum of Law of The Bank of New York Mellon, as Trustee, Regarding Compliance With Section 19.5 of the Plan [**Case No. 17-3283, ECF No. 4657**]
- D. Reply Memorandum of Law of The Bank of New York Mellon, As Trustee, Regarding Compliance With Section 19.5 of The Plan [**Case No. 17-3283, ECF No. 4751**]
- E. Reply of Whitebox Multi-Strategy Partners, L.P. and Certain of its Affiliates to Memorandum of Law of The Bank of New York Mellon, As Trustee, Regarding Section 19.5 of The Plan [**Case No. 17-3283, ECF No. 4752**]
- F. Reply Memorandum of Ambac Assurance Corporation Pursuant to Section 19.5 of COFINA's Amended Title III Plan of Adjustment [**Case No. 17-3283, ECF No. 4755**]
- G. Motion Submitting Exhibits and Evidentiary Material in Compliance with Order Regarding Procedures for Attendance, Participation and Observation of January 16, 2019 Hearing Regarding (1) The 9019 Settlement Approval Motion, (2) COFINA Plan of Adjustment Confirmation Motion, and (3) Dispute Regarding Section 19.5 of Plan [**Case No. 17-3283, ECF No. 4767**]

Status: This matter is going forward.

Estimated Time Required: 170 minutes.

<u>Order of Presentation (Section 19.5 Dispute)</u>	<u>Time Allocated</u>
1. Opening Statements <ul style="list-style-type: none"> a. Bank of New York Mellon b. Ambac Assurance Corporation c. Whitebox Multi-Strategy Partners, L.P. 	45 minutes (15 minutes each)
2. Bank of New York Mellon's Direct Testimony, and Moving of Declarations and Exhibits Into Evidence	5 minutes
3. Cross-Examination of Bank of New York Mellon's Witnesses <ul style="list-style-type: none"> a. Ambac Assurance Corporation b. Whitebox Multi-Strategy Partners, L.P. 	60 minutes (30 minutes each)
4. Bank of New York Mellon's Re-Direct of Bank of New York	30 minutes

Mellon's Witnesses	
5. Statements From Other Parties	10 minutes
6. Debtor's Statement	5 minutes
7. Replies and Closing Statements a. Ambac Assurance Corporation b. Whitebox Multi-Strategy Partners, L.P. c. Bank of New York Mellon	15 minutes (5 minutes each)

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Dated: January ~~14~~, 15, 2019
San Juan, Puerto Rico

Respectfully submitted,

/s/ Martin J. Bienenstock

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